
SENATE BILL No. 376

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-23-14.5-14.

Synopsis: Admission to drug court. Provides that, in determining whether to approve the admission of a person to the drug court, the judge of a drug court may consider whether the person's admission to the drug court would assist the person in successfully reintegrating into the community.

Effective: July 1, 2007.

Steele

January 11, 2007, read first time and referred to Committee on Corrections, Criminal, and Civil Matters.

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First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

SENATE BILL No. 376

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 12-23-14.5-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 14. (a) A person is eligible to participate in a drug court only if:

- (1) the person meets all criteria established by the drug court;
- (2) the judge approves the admission of the person to the drug court; and
- (3) the offense for which the person is referred to drug court is not any of the following:

(A) A forcible felony (as defined in IC 35-41-1-11).

(B) Any offense that a local drug court committee agrees to exclude from participation.

The local drug court committee referred to in subdivision (3)(B) must include the drug court judge, the local prosecuting attorney, and a local criminal defense attorney. **In determining whether to approve the admission of a person to the drug court under subdivision (2), the judge may consider whether the person's admission to the drug court would assist the person in successfully reintegrating into the**



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1 **community.**

2 (b) If a person is eligible to participate in a drug court, a person may
3 be referred to the drug court as a result of any of the following:

4 (1) The procedure described in section 15 of this chapter.

5 (2) As a term of probation.

6 (3) In response to a violation of a condition of probation.

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